

**REMARKS/ARGUMENTS**

**Status of the Claims**

Claims 1-10, 13, 15, and 17-23 are pending. Of these, Claims 18-19 are withdrawn.

**Terminal Disclaimer and 3.73(b) Statement**

Applicant submits eight Terminal Disclaimers and a 3.73(b) Statement executed by an authorized representative of Novo Nordisk A/S.

**Obviousness-Type Double-Patenting Rejections**

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 1-94 of U.S. Patent No. 7,265,085 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 112-214 of U.S. PG Pub. 20080050772 (U.S. patent application no. 11/652,467) in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 1-155 of U.S. Patent No. 7,297,511 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 1-113 of U.S. Patent No. 7,226,903 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite

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prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 10-32 of U.S. Patent No. 7,214,660 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 1-107 of U.S. Patent No. 7,179,617 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 1-94 of U.S. Patent No. 7,173,003 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

Claims 1-10, 13, 15, 17 and 20-23 are rejected on the ground of nonstatutory obviousness-type double-patenting as allegedly being unpatentable over claims 10-94 of U.S. Patent No. 7,157,277 in view of Oetke, *et al.*, “Versatile Biosynthetic Engineering of Sialic Acid Analogues,” *J. Biol. Chem.* (2002), pgs. 6668-6695. Without necessarily commenting on the propriety of the rejection and solely to expedite prosecution, Applicants submit herewith a Terminal Disclaimer. Withdrawal of the rejection is therefore respectfully requested.

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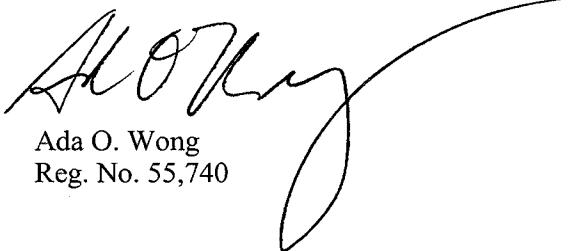
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**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-442-1000.

Respectfully submitted,

  
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